

(d) Information requested to be treated confidentially must be clearly marked with an identifying legend such as “Proprietary Information” or “Confidential Treatment Requested.” Where this marking proves impracticable, a cover sheet containing the identifying legend must be securely attached to the compilation of information for which confidential treatment is requested.

(e) Pursuant to section 9(c) of the Act, information for which confidential treatment has been requested, as provided above, or information that qualifies for exemption under section 552(b)(4) of Title 5, United States Code, will not be disclosed unless the Director determines that the withholding of such data or information is contrary to the public or national interest.

§ 413.9 Review of applications.

(a) Each application shall contain the information prescribed by the Office in order to initiate an appropriate review of the proposed launch activity. This information can be obtained by writing to the Office of Commercial Space Transportation, S-50, 400 Seventh Street SW., Washington, DC 20590, or by calling (202) 366-5770.

(b) The Office determines whether an application is substantially complete and, if so, accepts the application for review.

(c) Applications found by the Office to be incomplete or so speculative as to make review inappropriate will be returned to the applicant with a statement of the reasons therefor.

(d) Once an application is accepted, the Office initiates an appropriate review in light of the specific action requested in the application. Pursuant to section 20 of the Act, the Office shall consult with the Department of Defense on all matters affecting national security and with the Department of State on all matters affecting foreign policy, including the issuance or transfer of each license.

(e) The Office makes a determination on an application as expeditiously as possible but, in the case of a license application, not later than 180 days after receipt of such application. If the Office has not made a determination within 120 days after receipt of such ap-

plication, the Office informs the applicant of any pending issues and of actions required to resolve such issues.

§ 413.11 Modifications.

Applications may be modified, supplemented, or corrected by the applicant at any time prior to issuance of the Office’s decision.

§ 413.13 Issuance of license.

The Office issues or transfers a license authorizing the conduct of commercial space launch activities by the applicant if the Office determines, after review, that the applicant has, and will continue to have, the ability to comply with all requirements for a license, including the ability to conduct safe launch or launch site operations.

§ 413.15 Terms and conditions of license.

(a) Each license issued or transferred under this section shall specify the activities authorized by the license, the name of each person responsible under the license for the conduct of such activities, the period of time for which the license is valid, and such other terms and conditions as may be required to protect public safety, the safety of property, and national security and foreign policy interests of the United States.

(b) All licenses shall specify, as a condition of such license, that the licensee maintain an effective on-site means for verifying that the licensed launch activity conforms to representations made in the license application.

§ 413.17 Certain rights not conferred by license.

No license shall confer any proprietary, property, or exclusive right in the use of any airspace, Federal launch facility, or Federal launch support facility. Issuance of a license does not affect the authority of the Federal Communications Commission under the Communications Act of 1934 (47 U.S.C. 151 *et seq.*) or the authority of the Secretary of Commerce under the Land Remote-Sensing Commercialization Act of 1984 (15 U.S.C. 4201 *et seq.*).